

awards. Currently, states enjoy the right to impose either ceilings or floors on punitive damages; however, this legislation would impose a ceiling while still allowing states to enact even lower damage caps. A similar situation exists with regard to the statute of repose which is capped at 15 years. In addition, a provision was recently added to the bill that would pre-empt the law in numerous states governing the liability of certain utilities, including gas pipelines.

Also, it is clear that the threat of a \$250,000 penalty is not a sufficient deterrent to irresponsible behavior in many instances. Nor is it adequate punishment for conduct that results in death or serious injury such as the loss of a limb. Coupled with the legislation's elimination of joint-and-several liability for noneconomic damages, this bill, if enacted, would definitively tip the balance against consumers and in favor of those who manufacture and market defective products.

Finally, it is important to note that this legislation is not being considered in a vacuum. The Republican majority in Congress continues to attack public health, safety and consumer protection laws both through the authorization process and by underfunding the agencies that enforce those laws. Enactment of extreme legislation, like H.R. 956, taken together with these other efforts will surely threaten the health, safety and well being of all Americans.

For these reasons, I urge you to veto H.R. 956.

Sincerely,

FRANK PALLONE, Jr.,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HYDE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 259, nays 158, not voting 14, as follows:

[Roll No. 110]

YEAS—259

Allard	Bryant (TN)	Crapo
Archer	Bunn	Creameans
Armey	Bunning	Cubin
Bachus	Burr	Cunningham
Baker (CA)	Burton	Davis
Baker (LA)	Buyer	Deal
Ballenger	Callahan	DeLay
Barcia	Calvert	Dickey
Barr	Camp	Dingell
Barrett (NE)	Campbell	Dooley
Bartlett	Canady	Doolittle
Barton	Castle	Dornan
Bass	Chabot	Drier
Bateman	Chambliss	Duncan
Bereuter	Chenoweth	Dunn
Bilbray	Christensen	Edwards
Bilirakis	Chrysler	Ehlers
Bliley	Clement	Ehrlich
Blute	Clinger	Emerson
Boehlert	Coburn	English
Boehner	Collins (GA)	Ensign
Bonilla	Combest	Everett
Bono	Condit	Ewing
Boucher	Cooley	Fawell
Brewster	Cox	Flanagan
Browder	Cramer	Foley
Brownback	Crane	Forbes

Fox	Latham	Rogers
Franks (CT)	LaTourette	Rohrabacher
Franks (NJ)	Laughlin	Ros-Lehtinen
Frelinghuysen	Lazio	Roth
Frisa	Leach	Roukema
Funderburk	Lewis (CA)	Royce
Galleghy	Lewis (KY)	Salmon
Ganske	Lightfoot	Sanford
Gekas	Lincoln	Saxton
Geren	Linder	Scarborough
Gilchrest	Livingston	Schaefer
Gillmor	LoBiondo	Schiff
Goodlatte	Longley	Seastrand
Goodling	Lucas	Sensenbrenner
Gordon	Manzullo	Shadegg
Goss	McCollum	Shaw
Graham	McCrery	Shays
Greenwood	McDade	Shuster
Gunderson	McHugh	Sisisky
Gutknecht	McInnis	Skeen
Hall (OH)	McIntosh	Slaughter
Hall (TX)	McKeon	Smith (MI)
Hamilton	Metcalf	Smith (NJ)
Hancock	Meyers	Smith (WA)
Hansen	Mica	Solomon
Harman	Miller (FL)	Souder
Hastert	Minge	Spence
Hastings (WA)	Molinari	Spratt
Hayworth	Montgomery	Stearns
Hefley	Moorhead	Stenholm
Hefner	Moran	Stockman
Heineman	Morella	Stump
Herger	Myers	Talent
Hilleary	Myrick	Tanner
Hobson	Nethercutt	Tate
Hoekstra	Neumann	Tauzin
Hoke	Ney	Taylor (MS)
Holden	Norwood	Taylor (NC)
Horn	Nussle	Thomas
Hostettler	Oxley	Thornberry
Houghton	Packard	Tiahrt
Hunter	Parker	Torkildsen
Hutchinson	Paxon	Upton
Hyde	Payne (VA)	Vucanovich
Inglis	Peterson (FL)	Waldholtz
Istook	Peterson (MN)	Walker
Johnson (CT)	Petri	Walsh
Johnson, Sam	Pombo	Wamp
Jones	Porter	Watts (OK)
Kaptur	Portman	Weldon (FL)
Kasich	Pryce	White
Kelly	Quillen	Whitfield
Kennelly	Quinn	Wicker
Kim	Radanovich	Wolf
Kingston	Ramstad	Young (AK)
Klug	Reed	Young (FL)
Knollenberg	Regula	Zeliff
Kolbe	Riggs	Zimmer
LaHood	Roberts	
Largent	Roemer	

NAYS—158

Abercrombie	Doyle	King
Ackerman	Durbin	Klecza
Andrews	Engel	Klink
Baessler	Evans	LaFalce
Baldacci	Farr	Lantos
Barrett (WI)	Fattah	Levin
Becerra	Fazio	Lewis (GA)
Beilenson	Fields (LA)	Lipinski
Bentsen	Filner	Lofgren
Berman	Flake	Lowey
Bevill	Foglietta	Luther
Bishop	Frank (MA)	Maloney
Bonior	Frost	Manton
Borski	Furse	Markey
Brown (CA)	Gejdenson	Martinez
Brown (FL)	Gephardt	Martini
Brown (OH)	Gibbons	Mascara
Cardin	Gilman	Matsui
Chapman	Gonzalez	McCarthy
Clay	Green	McDermott
Clayton	Gutierrez	McHale
Clyburn	Hastings (FL)	McKinney
Coble	Hilliard	Meehan
Coleman	Hinchey	Meek
Collins (MI)	Hoyer	Menendez
Conyers	Jackson (IL)	Miller (CA)
Costello	Jackson-Lee	Mink
Coyne	(TX)	Moakley
Danner	Jacobs	Mollohan
DeFazio	Jefferson	Murtha
DeLauro	Johnson (SD)	Nadler
Dellums	Johnson, E. B.	Neal
Deutsch	Johnson, St.	Oberstar
Diaz-Balart	Kanjorski	Obey
Dicks	Kennedy (MA)	Olver
Dixon	Kennedy (RI)	Ortiz
Doggett	Kildee	Orton

Owens	Sanders	Towns
Pallone	Sawyer	Trafigant
Pastor	Schroeder	Velazquez
Payne (NJ)	Schumer	Vento
Pelosi	Scott	Visclosky
Pickett	Serrano	Volkmer
Pomeroy	Skaggs	Ward
Poshard	Skelton	Waters
Rahall	Stark	Watt (NC)
Rangel	Studds	Waxman
Richardson	Stupak	Williams
Rivers	Tejeda	Wilson
Rose	Thompson	Wise
Roybal-Allard	Thornton	Woolsey
Rush	Thurman	Wynn
Sabo	Torricelli	Yates

NOT VOTING—14

Bryant (TX)	Ford	Stokes
Collins (IL)	Fowler	Torres
de la Garza	Hayes	Weldon (PA)
Eshoo	McNulty	Weller
Fields (TX)	Smith (TX)	

□ 1343

The Clerk announced the following pair:

On this vote:

Mrs. Fowler for, with Mrs. Collins of Illinois against.

Mr. EDWARDS changed his vote from "nay" to "yea."

#### FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 1996

Mr. LIVINGSTON. Mr. Speaker, pursuant to the order of the House, I call up the joint resolution (H.J. Res. 170) making further continuing appropriations for the fiscal year 1996, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 170

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 104-99 is further amended by striking out "March 29, 1996" in sections 106(c), 112, 126(c), 202(c) and 214 and inserting in lieu thereof "April 24, 1996"; and that Public Law 104-92 is further amended by striking out "April 3, 1996" in section 106(c) and inserting in lieu thereof "April 24, 1996" and by inserting in Title IV in the matter before section 401 "out of any money in the Treasury not otherwise appropriated, and" before "out of the general fund"; and that section 347(b)(3) of Public Law 104-50 is amended to read as follows:*

*"(3) chapter 71, relating to labor-management relations; and that section 204(a) of the Auburn Indian Restoration Act (25 U.S.C. 1300-2(a)) is amended by striking "shall" in the first sentence and inserting in lieu thereof "may".*

*SEC. 2. That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, and for other purposes, namely:*

**FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS**

**FUNDS APPROPRIATED TO THE PRESIDENT, AGENCY FOR INTERNATIONAL DEVELOPMENT**

*Assistance for Eastern Europe and the Baltic States*

*(Including Transfers of Funds)*

For an additional amount for "Assistance for Eastern Europe and the Baltic States" for Bosnia and Herzegovina, including demining assistance, \$198,000,000: Provided,

That of the funds appropriated under this heading by this Act that are made available for the economic revitalization program in Bosnia and Herzegovina, not less than 87.5 percent shall be obligated and expended for programs, projects, and activities, within the sector assigned to American forces of the military Implementation Force (IFOR) established by the North Atlantic Council pursuant to the General Framework Agreement for Peace in Bosnia and Herzegovina and within the Sarajevo area: Provided further, That the preceding proviso shall not apply to any project that involves activities in both the American IFOR sector and other contiguous sectors: Provided further, That priority consideration should be given to projects and activities designated in the IFOR "Task Force Eagle civil military project list" in making available funds for the economic revitalization program: Provided further, That none of the funds appropriated under this heading by this Act shall be made available for the construction of new housing or residences in Bosnia and Herzegovina: Provided further, That none of the funds appropriated under this heading by this Act or under this heading in Public Law 104-107 may be made available for the purposes of repairing housing in areas where refugees or displaced persons are refused, by Federation or local authorities, the right of return due to ethnicity or political party affiliation: Provided further, That not to exceed \$5,000,000 may be transferred to "Debt Restructuring" to be made available only for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and loan guarantees, notwithstanding any other provision of law: Provided further, That \$3,000,000 shall be transferred to "Operating Expenses of the Agency for International Development" for administrative expenses: Provided further, That the additional amount appropriated or otherwise made available herein is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the provisions of section 515 of Public Law 104-107, and any similar provision of law requiring advance notification to the Congress, shall be applicable to funds appropriated under this heading, except that the requirements of those provisions shall be satisfied by notification five days in advance of the obligation of such funds: Provided further, That, effective ninety days after the date of enactment of this Act, none of the funds appropriated under this heading by this Act may be made available for the purposes of economic revitalization in Bosnia and Herzegovina unless the President determines and certifies in writing to the Committees on Appropriations that the aggregate bilateral contributions pledged by non-United States donors for economic revitalization are at least equivalent to the United States bilateral contributions for economic revitalization made by this Act and in Public Law 104-107: Provided further, That 50 percent of the funds appropriated under this heading by this Act that are made available for economic revitalization shall not be available for obligation unless the President determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has complied with article III of Annex I-A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between Iranian officials and Bosnian officials has been terminated: Provided further, That funds withheld from obligation pursuant to the previous proviso may

be made available for obligation and expenditure after June 15, 1996, notwithstanding the previous proviso if the President determines and reports to the Committees on Appropriations that it is important to the national security interest of the United States to do so: Provided further, That the authority contained in the previous proviso to make such a determination may be exercised by the President only and may not be delegated: Provided further, That with regard to funds appropriated under this heading by this Act (and local currencies generated by such funds) that are made available for economic revitalization, the Administrator of the Agency for International Development shall provide written approval for grants and loans prior to the obligation and expenditure of funds for such purposes, and the Administrator shall receive the agreement of grantees that such funds shall be subject to audits by the Inspector General of the Agency for International Development: Provided further, That with regard to funds appropriated under this heading by this Act (and local currencies generated by such funds) that are made available for economic revitalization, the Administrator of the Agency for International Development shall provide written approval for the use of funds that have been returned or repaid to any lending facility and grantee under the economic revitalization program prior to the use of such returned or repaid funds: Provided further, That, notwithstanding any provision of law under this heading in Public Law 104-107, the provisions of section 532 of that Act shall be applicable to funds appropriated under this heading that are used under the economic revitalization program and to local currencies generated by such funds: Provided further, That such local currencies may be used only for program purposes: Provided further, That for the purposes of this Act, local currency generations under the economic revitalization program shall include the conversion of funds appropriated under this heading into currency used by Bosnia and Herzegovina as local currency and local currency returned or repaid under such program.

The SPEAKER pro tempore (Mr. GUTKNECHT). Pursuant to the order of the House today, the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Wisconsin [Mr. OBEY] will each control 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

#### GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 170, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LIVINGSTON. Mr. Speaker, I yield myself 5 minutes.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I had hoped to stand before the House today and ask for the opportunity to present the final solution, if you will, for fiscal year 1996, the wrap-up bill, the omnibus bill, the bill that has plagued this House for the last 6 months. Unfortunately, that was not to be the case.

However, I am very pleased to tell the Speaker and our colleagues that we are really within hours of presenting that solution. Unfortunately, we cannot complete it before we go on break for the district work period. Therefore, Mr. Speaker, we have to come back in a few days after the recess and complete our business. In fact, I really do not think it will take very long. Assuming our leadership continues to work with the White House, and we get cooperation from all parties, we should be able to conclude the mighty bill.

The fact is most of the issues in the remaining appropriations bills have been resolved, but there are still a few of them that are uncompleted. We also have not quite resolved both the payment of the funding level for those bills and the "paid fors" anything that exceeds the House budget levels.

We are still working on offsets; we are still working on such problems as the HIV issue within the national security bill; the abortion issue within the foreign operations bill, ergonomics, and various other isolated issues. I want to compliment all of the conferees in both House and Senate, Republican and Democrat, Mr. Speaker, for pitching in, shoulder to shoulder, over the last few days and working diligently in the hopes that we could finalize our negotiations by this time today. It was not to be, but it was not for lack of a conscientious bipartisan effort. I am deeply grateful to all of the Members for pitching in.

Since that is the case, Mr. Speaker, I am compelled and pleased to present to the House the current bill, which extends all of the current continuing resolutions and all of the appropriations bills that are contained within those continuing resolutions, through April 24.

Tomorrow, Members will go back to their districts to hold town meetings, make appearances, and spend time with their families. This may be a change from the last few weeks, but the fact is that by the time they return, there will only be 6 legislative days before the end of the this current continuing resolution we're presenting to the House today.

Mr. Speaker, this bill also provides four separate items which we feel are of such an emergency status that we must address them. The first provides a full year Federal payment to the District of Columbia, of without which the District of Columbia would collapse and cease to function. Second, it appropriates \$198 million for Bosnia and Herzegovina for economic revitalization, money that is needed today. It is needed with most urgency in order to help our troops complete their tasks and pull out of that troubled region. These funds would have been included in the conference agreement on H.R. 3019, but because of the urgent need, they are being advanced in this resolution.

Then, really, there are only two technical provisions. One amends the fiscal

year 1996 Transportation Appropriation Act to clarify FAA personnel reforms, and the other simply amends the Auburn Indian Restoration Act to create discretionary authority for the Secretary of the Interior to accept lands into trust status on behalf of the tribe. These two items are technical in nature, and meet bipartisan consensus, and there is no objection to them.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me simply say that I am extremely disappointed that once again we are having to fund government on a stop-and-go basis, with yet, I believe, the 12th or 13th, maybe it is lucky 13, 13th CR or continuing resolution for this fiscal year.

I am extremely disappointed that more progress was not made this week in finishing action on the entire set of appropriation matters for the remainder of the fiscal year. What the situation is, is basically this: The Senate, in a constructive move, moved this process much closer to a possible White House signature by the changes that they made in the House appropriation bills when they were before the Senate, but as the White House has made quite clear, much as they welcome that movement in the Senate, they still require some additional movement in order to achieve a bipartisan compromise.

It is not just enough for the Members of the House to reach agreement with the Members of the Senate, or for Members of one party in the House to reach agreement with the Members of their party in the Senate. We also have to reach agreement between the leadership of the Congress and the leadership of the executive branch, which means the President of the United States. He has indicated he still is considerably concerned about remaining insufficiencies, especially in the area of education, worker training, and environmental protection.

So I think, Mr. Speaker, we will be focusing on those issues very firmly over the next 2 weeks. Meanwhile, the committee has again brought a short-term continuing resolution to the floor. This resolution is, regrettably, and in my view unnecessarily restrictive in terms of the funding levels that it provides for a number of areas, most especially including programs like chapter 1; and we know that we have some 40,000 school districts who are facing the prospect of having to lay off teachers if this is not resolved. That is why this must be resolved. But we are not quite there yet. I think we are moving a bit closer, but it is really going to require earnest negotiations over the next 2 weeks in order to put this matter to bed for the remainder of the fiscal year.

Let me simply say, Mr. Speaker, I know Members what to get out of here. I regret very much the fact that this resolution has such a restricted fund-

ing level, especially in the area of education, as I have said, but that is what we have before us. I would simply say that it is my determination to pursue every possible avenue of compromise over the next 2 weeks, so we can get the matter resolved. I thank the chairman of the committee for his assistance in dealing with issues on which we both agree and disagree.

Mr. Speaker, I yield back the balance of my time.

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume.

I would just simply urge all our Members, Mr. Speaker, to keep the Government open, support this resolution, and have a happy Easter; and notice how I said that: Have a very happy Easter.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### WELCOME TO WASHINGTON'S NEWEST REPUBLICAN, WILLIAM HANNA BOGER IV

(Mr. CRAPO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAPO. Mr. Speaker, I rise today to welcome to Washington the Nation's newest Republican, William Hanna Boger IV. William was born Tuesday, March 26 at 8:24 a.m., was 20 inches long and weighed 7 pounds, 7 ounces.

His proud parents are my executive assistant, Dorothy S. Boger of Morrow, LA and her husband William, of Columbus, OH, partner at the law firm of Wilkinson, Barker, Knauer and Quinn and a former staffer of my good friend BOB LIVINGSTON.

Although he was immediately registered as a Republican for the 2014 elections his parents extend their thanks to their friends on both sides of the aisle for the many expressions of support they received over the last few days.

Congratulations, Dorothy, Bill, and little Billy.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. CRAPO. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, would the child like some counseling about this registration, before he takes this very serious step?

Mr. CRAPO. Mr. Speaker, I would tell the gentleman, I would offer that to his parents, but I will tell him, I think I am in a good position, and I

will provide that counseling, if he does not mind.

Mr. HOYER. Congratulations to the family.

PROVIDING FOR ADJOURNMENT OF THE HOUSE FROM FRIDAY, MARCH 29, 1996, TO MONDAY, APRIL 15, 1996, AND ADJOURNMENT OR RECESS OF THE SENATE FROM FRIDAY, MARCH 29, 1996, OR THEREAFTER, TO MONDAY, APRIL 15, 1996

Mr. ARMEY. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 157) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 157

*Resolved by the House of Representatives (the Senate concurring).* That when the House adjourns on the legislative day of Friday, March 29, 1996, it stand adjourned until 12:30 p.m. on Monday, April 15, 1996, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Friday, March 29, 1996, Saturday, March 30, 1996, or Sunday, March 31, 1996, pursuant to a motion made by the Majority Leader or his designee in accordance with this resolution, it stand recessed or adjourned until noon on Monday, April 15, 1996, or until such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1400

#### ELECTION OF MEMBER TO COMMITTEE ON WAYS AND MEANS

Mr. ARMEY. Mr. Speaker, I offer a privileged resolution (H. Res. 397) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 397

*Resolved,* that the following named Member be, and he is hereby, elected to the following standing committee of the House of Representatives:

Committee on Ways and Means: Mr. HAYES of Louisiana, to rank following Mr. PORTMAN of Ohio.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)